

10/511116

Rec'd PCT/PTO 25 APR 2005

Page 1

Attorney's Docket No. MEISS88.001APC

DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **APPARATUS FOR PROMOTING BONE GROWTH, ESPECIALLY FOR OSTEOSYNTHESIS OF BONE FRAGMENTS AND/OR FIXATION OF BONE FRACTURES** the specification of which was filed on October 12, 2004 as Application No. 10/511,116 and was described and claimed in PCT International Application No. PCT/EP03/03690 filed on April 9, 2003.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 U.S.C. § 119
Germany	102 15 996.3	11/04/2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application;

Prior U.S.A. Application(s)

Application No.: _____ Filing Date: _____ Status: _____

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Page 2

Attorney's Docket No. MEISS88.001APC

1-00
Full name of first inventor: **Ferdinand Gundolf**Inventor's signature *Ferdinand Gundolf* Day 31 Month 3. Year 2005Residence (city and country): Kemterstr. 1/l, A-6330 Kufstein, AustriaCitizenship: Austrian *ATX*

Post Office Address: Same as above

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

*1343408-1.DOC vr
031505*